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May 16787

AN ADDRESS

TO THE PEOPLE

OF THE

MISSISSIPPI TERRITORY.

SHEWING THE POLICY AND EXPEDIENCY

DIVIDING THE TERRITORY,

PREPARATORY TO THE FORMATION

OF TWO STATES,

AND THAT NOW IS THE TIME IT MAY BE DONE.

NATCHEZ.....PRINTED BY PETER ISLER.

1816.

AN ADDRESS

TO THE

PEOPLE OF THE MISSISSIPPI TERRITORY.

FELLOW-CITIZENS,

I am about to address you on a subject of the last importance to us all, to wit: the admission of this Territory into the Union as an independent State.

In taking a view of this subject, we should extend our ideas beyond the present times and existing state of things—we should look not a little into futurity—local and temporary effects should give way to general and lasting ones. We ought to reflect that what we are about to do to-day for ourselves and a few thousands, may last for centuries, as well as bind others and millions. Neither ought we to have in view, alone, the political bearing of such a measure, on our own state and section of the union, but in reference to the whole.

To ascertain the correctness or not, of the premises I have laid down, not only the geographical extent and limits of the territory should be considered, but its topical situation and natural history should be taken into view, as well as its present population, susceptibility of in-

crease, connection and intercourse of its constituent parts and relative situation with existing states.

I am free to acknowledge that the importance of this subject merits investigation by those much more capable than myself; and that it ought to command the attention and aid of the most experienced, intelligent and virtuous citizens amongst us; it is one too, which has been applied to the worst and most fatal of political purposes; it has been used as a political chronometer; a ladder by which time serving politicians have too often ascended to popular favor, regardless of the general good. My pretentions in the present undertaking are humble, and intended more to commence and invite investigation than to enlighten. In order, therefore, that this my humble undertaking may not have to encounter the prejudices of party, or excite the jealousies of any, I address you over an anonymous signature, conceiving it ought to be the subject and the matter, more than the individual and the manner which will command your attention and merit your approbation.

In obedience to my object of inviting an investigation of the premises, I shall not extend this number beyond the limits of an introduction, especially when I see that on Monday next a convention is proposed to meet at Ford's on Pearl river, to consider this subject; for although it may be, that the public voice have not sufficiently participated in the creation of this *assemblage*, for the result to command a controling influence, or one much beyond that of individuals; yet, their reasoning may, and no doubt will, be legitimate.

NUMBER II.

Previously to entering on the merits of the question, I will remark, that many considerations heretofore embarrasing to this subject have ceased to exist. However ideal and visionary many of them may have been, their effects were deleterious, and well calculated to defeat the object now in view. The independent and hazardous, were forward and avowed; whilst the profound and cautious, were fearful and shrunk from the consequences. Conjecture is, now, no longer to be tolerated; nor backwardness to be reckoned a virtue—candor may receive its reward, and duplicity its disappointment; and we, fellow-citizens, the full enjoyment of our just and equal rights. The bugbears of taxation, sectional advantages and disadvantages, with similar sacrifices, are banished by the late accessions of Indian country; a growing, industrious and wealthy population.

Former objections being cleared out of the way; all parties seem, now, to unite in the desire of admission, and for my part, I think *tempus nunc*. But unfortunately, it seems we are about to create obstacles among ourselves, to wit: whether to divide the Territory preparatory to TWO STATES, and in what direction lines shall run. To form just conclusions on these points, not only the limits and extent of the Territory should be brought into view, together with our immediate interest and convenience, but that which is future, lasting, and national; graduated by the original designs and principles of our general government.—On such grounds rest the real policy; and on

such *only*, is our admission desirable and practicable. Our Territory, then extends on the west side of Pearl river, from the 31st degree of north latitude, and on the east, along the sea-board to the Perdido, up that river to the said 31st degree of north latitude, thence east to the river Chatahooche, including all the country north and west to the state of Tennessee and Mississippi rivers, containing nearly an hundred thousand square miles, equal to about sixty-four millions of acres.

I will now contrast the above admeasurements with those of some of the largest states in the Union.

Virginia has about	70,000	s. m.	—44,800,000 a.
Pennsylvania	44,900	do.	—28,736,000
New-York	44,530	do.	—28,160,000
Mass'ts. and Maine	47,000	do.	—30,080,000
Kentucky	50,000	do.	—32,000,000
Ohio	30,000	do.	—19,200,000

Before drawing conclusions and pointing to the consequences of a further increase of the inequality in the size of states composing the Union, I will bring into view some of the smallest states.

Vermont has	11,060	s. m.	— 7,078,400 acres
New-Hampshire	9,480	do.	— 6,057,200 do.
Rhode-Island	1,739	do.	— 1,112,960 do.
Connecticut	4,674	do.	— 2,991,360 do.
New-Jersey,	8,320	do.	— 5,324,800 do.
Delaware	2,000	do.	— 1,200,000 do.
Maryland	14,000	do.	— 8,960,000 do.
Massachusetts	7,000	do.	— 4,608,000 do.
Maine, about to be a state	40,000	do.	—25,600,000 do.

Forming an aggregate of 96,260, s. miles, and 68,562,720 acres.

Thus we find our Territory and Georgia double the size of any two States in the Union, except Virginia, and larger than the whole of the states last enumerated, nine in all; and I I presume the calculations, if not mathematically accurate, are sufficiently so, to form a basis for correct opinions and just conclusions.

To estimate properly the deductions I mean to draw from these computations and comparisions, it is necessary to turn our attention to the tendency and principles of the general government, which, we beg leave to be remembered, is a *federation*, and not a *consolidation* of state authorities, united with the immediate representation of the people. All politicians will recollect, that every attempt to shape its administration towards a consolidation has given alarm, and been resisted by the virtuous and patriotic. Its consolidated bearings are checked by the sovereignty of the respective states composing it. The extent of the United States and its Territories are so great, and so various their interest, that the balancing powers of the government thereof, should ever be duly regarded. The sovereignty of the people is manifested in the house of representatives of the United States—the sovereignty of the states is exhibited in the senate thereof, and the magistracy of all displayed in that of a President of the United States. The senate, or second branch, possesses powers which have a commanding influence and control. It may with propriety be called the heart

and core of the constitution.—It can control and check the appointment of all officers; all foreign ministers and ambassadors—Has the ratification, or not, of all treaties, which are the supreme law of the land; by which, your very sovereignty may be limited—parts of your territory ceded, or accessions made—and finally, it constitutes the highest judicial tribunal of the nation. And if we consider this branch of government in its legislative capacity, it is equally, if not more formidable.—It participates in passing all laws—here the small have as much weight as the large states. A section of country, not above the size of one of your counties, with only one or two representatives, has an equal influence with the largest and most populous state in the union, with thirty times its census. Another important feature distinguishing this branch of our government from any other, is its *permanency*. The other branches have their periodical terminations—a new election can effect a total change—not so with the Senate of the United States, this depository of the state sovereignties. But one third of this body go out at once; two thirds, therefore, are always in existence. Here, the maxim, "that the sovereign never dies," may be said to apply; that too, in a government sufficiently republican.

Having considered some of the powers, and consequent influence of the senatorial branch of the general government, and that it represents only the sovereignty of the respective states, I presume the policy of balancing the sovereignty of each, and of the respective im-

portant sections of the union, will be readily perceived, understood and admitted.——Nor ought any temporary or local inconvenience to weigh against measures having that tendency. This can only and best be done, by having a due regard to the size and position of new states to be admitted into the union.

The whole of New-England, including the states of New-Jersey, Delaware and Maryland, making nine, (Maine now about to become a state) are not as large as our territory, and will have eighteen votes to our two in the senate—we ought to recollect, that this inequality operates likewise in the election of the President of the United States, two votes being added for each state, to the electoral college of that officer.

If it should be said in favor of some of the small states, that they have superior population and wealth, I answer, that the latter has no share in the federal representation; nor does it form any part of the qualification to office, in my opinion, a wise omission, and one which does great honor to the memory of the sages who formed the constitution; because, we all know, that wealth generally has influence enough without the aid of legal and constitutional advantages. But as we are not considering things alone, for the time present, I presume the same causes, and less time, will give us a proportional population and wealth; for our labor is more productive, and if we do not live quite so long, we propagate sooner and faster.

That new and additional sovereignties have

and will arise in the north to increase the influence of the eastern section of the union, must be obvious to every reflecting and tolerably well informed politician, and who is in the least acquainted with the geographical and natural situation of that section of the union. The state of Indiana has lately come into existence; the District of Maine is about to do so; and Illinois territory will soon reach that point; these, together with Ohio, will be of eastern interest, being mostly settled by people from that quarter; and because slavery is not tolerated there. Again, most of their commercial intercourse, which now looks this, will be directed that way, to wit, as soon as the water communication between the lakes and the Hudson is completed.

Ought we, fellow-citizens, merely to anticipate a little, the full enjoyment of our equal and political rights, wish to force ourselves into the union, relinquishing one half the weight and influence to which we are relatively and justly entitled in the general government? Can you think such a measure would be doing justice to ourselves, and to our brethren of the other states, whose commercial and political intercourse and interest are the same with our own? Had we not better, even were it necessary, bear for a short time the inconveniences of a government we dislike, than to hazard the general good?

I presume, you conjecture by this time, that my object is a division of the Territory, preparatory to two States——It is.—And *now is the time*. And I hope to shew and prove to

your satisfaction, before I conclude this address, that such a measure will not postpone our admission at this time; and that it is the only practical mode by which we can obtain that desirable object.

Although the remarks which I have submitted, relate to the subject in its general and national bearings alone, I by no means intend to omit such as relate to the expediency and policy of the measure, in a local and individual point of view.

NUMBER III.

HAVING submitted a few condensed and hasty remarks, as to the general and national policy of a division of our territory, I will now proceed to offer some, designed to bring into view the local and individual bearing of such a measure. I shall make no apology for the desultory manner in which I am compelled to meet this subject. Truth and reason being all we want—the order in which they are arranged, is connected more with the time of the writer, than with the understanding of the reader.

That the reasoning which I shall advance, may be more clearly comprehended and appreciated, we should first take into consideration the natural and sectional situation and subdivisions of the territory; together with the present and probable future population of the whole; as also, the constituent parts thereof, with their mutual connection and intercourse. Being bounded then on the west by the river Mississippi, on the east by the Chatahouchy, on the north measurably by the Tennessee, near

which the Mobile finds its principal sources, and thence running south, cuts the territory very nearly into two equal parts. Our population, at the present time, is divided into three parts, say the Mississippi, Mobile and Tennessee. On each of these water courses and their tributary streams, the bulk and weight of our population will continue to exist. On the intermediate and smaller rivers of Amite, Pearl, Pascagola, &c. though the population is at present not considerable, yet in a short process of time, it will be incomparable with that on the more majestic rivers; furnishing on their margins extensive plains of the most fertile land in the world. These grand water courses and principal settlements are separated by extensive tracts of poor land, and are lasting barriers to the communication and intercourse of the inhabitants on the rivers. Each of those magnificent land currents, with their surrounding population, have free outlets to the ocean, without any connection or dependence the one upon the other; excepting the river Tennessee, which must and will be identified with the Mississippi and Mobile, as policy and interest may indicate. There cannot be a doubt, but the inhabitants about and above the Muscle Shoals will find means to avail themselves of the navigable and nearer waters of the Mobile, rather than hazard and encounter the difficulties and distance to market, by way of the Mississippi.

Recent extinguishments of Indian titles on the Tennessee and head waters of the Mobile; the excellent quality and situation of these

lands, together with a healthier climate, will soon and certainly invite a population on each of those waters, equal, if not superior, to the population on the Mississippi, inclusive of Pearl and Amite. That this state of superiority will pertain to Tennessee and Mobile, until the Indian titles on the Yazoo are extinguished, is equally doubtless to every understanding mind.

The inhabitants of these different sections of our territory, and particularly those on the Mississippi and Mobile, will have little or no connection or intercourse with each other. There is no exchange or commercial relation whatever between them. Connectively, each of them have incomparably more and stronger ties, with the middle, eastern and western states, than they have with each other. They will never want the products of each other's land. Every clue to trade, whether of importation or exportation, leads them otherways than towards each other. With growing price, each set of inhabitants will navigate their own rivers, leading to their own depositories of wealth—their commercial cities. That Orleans and Mobile are to become rival ports, exporting the products of a country many times larger and wealthier than any other commercial division of the Union, I have no doubt. The population, likewise, covering this extent of surface, will be superior to that of any similar extent in the Union.

Viewing then the extent of the territory, its natural divisions and subdivisions as susceptible of population, with their actual present

census, I presume the expediency and policy of a division so as to form two states at least, will appear manifest, even when considered in a local and individual point of view.

To pursue this subject in another point of view, all must agree that, in a state, with local and independent interests, strong and powerful parties ever have, and ever will rise up, creating jealousies and prejudices prodcutive of the most mischievous consequences, and leading finally to other fatal occurrences of co-operating causes, hostile to the general good. That in the selection of public characters, such misfortunes as I have intimated, too frequently cause merit and the most useful talents to be overlooked, disregarded or sacrificed. We are taught by experience, that such results have more generally taken place in states or countries, so circumstanced by their sectional positions and local interests as to create and furnish fit materials for violent party and criminal dissention. Nor have we any just grounds to presume, that a state formed of our whole territory, would afford an exception to such corruption—No, I fear the reverse; for in my humble opinion, the little experience we have had under the present second handed kind of government, there is much reason to apprehend and fear, that we should multiply the sad examples of violence and error. It matters not whether the causes leading to such evils are real or ideal—artful politicians and designing characters turn them to the same mischievous purposes. It is the duty, therefore, of every virtuous and reflecting mind to guard, in time, against such a state of things.

Before I dismis this part of our subject, permit me to take one other view of it, relating solely to a local administration. The designs of civil and political institutions and associations are, that each member, or part, shall surrender a due portion of its natural and individual rights, to obtain and secure the protection of the whole. Hence the expediency of convenient divisions and subdivisions, having a similarity and sameness of interest, with the opportunity and power of action. Were our territory admitted into the union, as one state, would not the body politic be too large for its constituent parts? Would all the parts be sufficiently strong and connected to receive and communicate life, vigor, strength and intelligence from the heart, or seat of life and action, and to diffuse the same through every recess energetically to the extremities? Could the extreme parts be properly informed, directed and controled, in due time, from the centre or seat of authority?—or would they not be too ponderous and distant, for the cords of civil and political institutions, to draw and unite them together, so as to secure energy to the whole system? Suppose, for a moment, any great emergency should take place, demanding the physical force and military strength of the state to be brought into action—let us say invasion or insurrection, might not the consequences be desperate, the malady ripen into fatality, before the means of resistance or protection could be commanded and brought into efficient operation? These are the dread evils of a state over-ponderous and extensive; and are far

less to be apprehended from a compact, and conveniently large association.

Perhaps it may be thought by some, that the item of expense in supporting a state government is connected with, and involved in this part of our investigation. I will submit a few reflections upon this point: First, however, assuming the privilege of asserting, that none of you, my fellow-citizens, would consent to estimate your political and civil rights by this standard. The dependent, the ignorant and slavish might consent to a rule of this kind; but the independent, the informed and the free will not. It would do to carry such reasoning to the oppressed subjects of the old world; but it is an intolerable apology before an elighte-ed community of American citizens, who *will* both their governments and their laws. All know, that two states, instead of one, will require double the number of officers constituting the different departments of government. But, I will ask, if that ought to have any forbidding influence when both are constitutionally entitled to the claim? Raising an abhorrence upon this score is certainly a weakness, and demonstrates to my mind, that the blessings of freedom are not estimated by all, at their intrinsic worth. A people who properly appreciate their independence, civil and political rights, will never complain at an adequate taxation to support and sustain those rights. It is the improper use and application of the public funds at which a people are apt to wince, and not at such appropriations as are necessary for order, security, justice, happiness and pros-

perity. It is not by giving reasonable and liberal salaries, such as will command unsullied virtue, stern independence and best talents that the burthen of taxation becomes augmented to oppression, but the want of dispatch in the execution of the duties assigned; and this evil is more generally produced by a conflicting and clashing of party feelings and local interests. Have we not, fellow-citizens, experienced this already under our present form of territorial government? Have we not seen our general assembly convene, and continue in session from one to three months, when but for the causes I have alluded to, the whole of the necessary business might have been accomplished in one third of the time, and at one third of the expense? This is seldom or never the case in states reasonably large and compact. The more surface you comprehend, the more discord you embrace.

I have already expressed my hostility to a territorial form of government, and my desire for that of a state; and that to divide the territory is the only probable way to attain the happy end. I will submit a few further remarks in relation to the correctness of that opinion. The important effects which the admission of additional states into the union, will have upon the general government, particularly in the senatorial branch, have also been pointed out; nor do I apprehend the deductions made, will be controverted. I suppose them too clear to escape the comprehension of any man. But as many, however, may ask, why some of the dangers anticipated and stated

by me as liable to result from too great an inequality in the size of states, have not yet presented or occurred; and whether an additional large state would not tend to diminish my apprehensions? I answer, and I hope conclusively, that every one who is anyways intelligent in the history of our politics must recollect, that about eighteen years ago, the political distinctions which designated the people of the United States into two great parties, now known as republican and federal, took place—nay, they commenced earlier—their origin was with Jay's treaty in '94. Parties arranged in order, with President Adams's administration, in '97; and the year following were completely organized and brought into action.—Those parties have continued to be identified ever since, by a variety of time-serving sceptical appellations, and, in some instances, have gone far to shake the foundation of the union. To shew how these incidents ought to serve as harbingers to admonish us to wisdom, we might advert to the malignant attempts to foist a President on the United States, in loud and violent opposition to the *will* of the nation; as well as to a more recent convention, at Hartford, in Connecticut, for the express purpose of cutting our union in twain. But in the earlier stages of these two existing parties, say from '97 to 1800, fortunately for the general, as well as the state governments, on their original basis, the people clearly perceived that the authority of *names*, did not alter the nature of things. Although all recollected the causes of the revolution and most had united in its consummation,

yet, an important division arose amongst its friends relative to the principles on which a new government should be formed. The friends to the most republican side, constituted the majority, and prevailed; but, they subsequently became the minority, and the government, by its administration, began to diverge from its original principles. This was effected by the power—the overwhelming and devouring influence of the executorial branch of the government; and nothing occasioned a counter action to take place by which the ship of state was righted and saved, but the career with which she was steered by the then ruling party, and the extravagant measures they pursued and adopted. Those measures of madness, tending to an infringement on our dearest rights, were perseveringly and successfully resisted by those who adhered to the original principles and designs of the constitution and form of government—meaning its democratical representative feature. Those occurrences did, and do now, influence many members of the senate of the United States, to think and act differently than they otherwise would have done. Local interests; sectional advantages, &c. have been absorbed, for the moment, by adhesions to party views embracing, perhaps, the very existence of the government. But what, fellow-citizens, will most likely be the consequence after those great party distinctions, shall have defeated themselves; after corrosive time shall have acted long upon our nation, and the causes which led to her birth and rank; when the same operating hand of

time, shall have worn from the recollection of man, the virtues of our heroes and patriots who achieved our independence, and dictated our government; when a knowledge of our rise and progress, and the holy principles which bore us up, are only to be learnt from the historic page; I say, after such an expenditure of time and things, what in all probability will be the case? Will not local interest resume its stand? Will not sectional influence assume both its pride and importance?—Is it to be presumed that men, although acting in a sovereign capacity, will not act in obedience to the feelings, inclinations and interest of those amongst whom they reside, and the states they represent, in preference to others remote from them in interest and situation?—Then it will be, that members of small states, from the same section of the union embracing similar interests, agricultural, commercial, manufacturing and political, may manifest their power and controling influence in the senate. In this way, the government of an extensive country, fifty times as large, and twenty times as populous as a small state, may be brought to the disposal and control of the smaller body.

It is with a view to such changes as have been intimated, that the senate, particurly the part representing large states, are desirous, whilst the present state of political feelings exists, of guarding against the preponderance of the small states. At this time, from the stronger ties of political sympathy and confidence, to keep down greater evils, some of the members of small states would aid in our

division and admission. But we are not to presume that the senate will loose the opportunity of providing a balancing power in itself, which can only be done by our division; nor, on the other hand, ought we to suppose that she will augment the evil so loudly complained of, by the admission of a state so large as our territory. As we have no right to doubt the rectitude and wisdom of that body, or to expect that it will yield a point highly and permanently interesting to itself and to the United States, for the temporary accommodation of the people of any particular section—we cannot believe it will consent to the creation of but one sovereignty, instead of two or three. If, therefore, we wish admission into the union at this time, it must be attained by soliciting a division; meeting the views and policy of the Senate of the United States, and thereby shew that we regard the national interest, as well as our own. The deductions I contemplate drawing from our present census, and progressive state of population, will be in farther illustration of the grounds I have already taken, and shew, I hope, clearly, that a division of the territory will not postpone our admission.

NUMBER IV.

Previously to taking a view of our census, I will remark, that whatever may be our opinion and will, on this occasion, Congress have the power and the right to divide, or not; and that the Senate, a controling branch of that body, has repeatedly manifested its determination to act in the affirmative before our admission into the union, as a state.

A due respect for the opinions of every class and portion I now address, induces me to take notice of the opinion expressed by some of our fellow-citizens, particularly those of Wilkinson county on a late occasion, in relation to this subject; that to divide the territory would be a violation of the treaty between the United States and the state of Georgia.

I presume a little attention to that instrument, and the laws establishing this Territory, and applying the ordinance for its government, will authorise a different opinion. The first law on this subject, was passed by Congress on the 7th of April 1798; the 4th sec. of which provides "that the territory hereby constituted one district for the purposes of government, may at the discretion of congress, be hereafter divided into two districts," &c. This, together with the act of May the 10th, 1800, establishes for our government the ordinance "for the government of the territory of the United States north-west of the river Ohio," made in July 1787, except the last article inhibiting slavery. The first paragraph of this instrument, now applied to us, gives also to congress the power to divide the territory, in the following words: "That the said territory, for the purposes of temporary government, be one district; subject however, to be divided into two districts, as future circumstances may, in the opinion of Congress, make it expedient." By this ordinance then, considered our constitution, as well as by the law of 1798, above recited, Congress have the right to divide the territory into two districts, and by the 5th article thereof to form

therein not less than three nor more than five states. Thus stood the powers of Congress and our rights until 1802, the date of the Articles of Agreement and Cession between the United States and the state of Georgia, (and alluded to as the treaty, by our brethren of Wilkinson) and by which the power of Congress on the subject of forming states is modified as respects our territory, giving it the power to form less than three states, "a State" which by the previous laws and ordinance, perhaps, might be doubtful, as by both, Congress could divide into two districts, and by the latter form not less than three states. By no rational rule, can the Articles of Agreement and Cession, be construed to limit or repeal the power of congress to divide the Territory, but an extension as to the formation of states, by saying the territory "shall form a State," &c. Is it presumable, that the commissioners who concluded, the President who approved, and the senate which ratified this instrument, were all so careless or inattentive to the rights and powers of Congress, on this subject, under existing laws, and that if a repeal was intended, would it not have been so expressed, or too strongly implied to admit of a doubt? So far from that, there is not even an allusion to the division of the territory as authorised—or are we to suppose they intended that after the territory might be divided, it should be again united for the purpose, and before forming a State?

Perhaps I should not hazard much, or violate the rules of legal construction, were I to contend, agreeably to the provisions of the original

ordinance, on the subject of forming states, that congress might not only divide the territory, but form one or more states. This instrument was applied to our territory *in extenso*, with all its provisions except the last respecting slaves. Hence the appointment of Governor, Judges with powers to adopt the laws of the original states, under the first grade of government, our present and second grade, with a general assembly to make them, &c.— Suppose before the Articles of Agreement and Cession, or Treaty, as called, say in 1800 it had been found expedient to have divided the territory, could a doubt have arisen as to the power of congress to do so? Suppose after, in 1801 the population had authorised states to be formed, under what charter would the people have claimed or congress have acted? Most certainly under the law of 1798, already recited, and the ordinance as thereby applied to our territory, authorising not less than three, nor more than five states; for the Articles of Agreement and Cession were not made till 1802; and which now taken in connection with the laws and ordinance for the government of our territory, give Congress the right and the power to form, instead of three, from one to five states.

I have introduced this reasoning, more to convince that this Agreement and Cession or *Treaty*, as called, between the United States and Georgia, has not that overwhelming effect contended for by some, and that it does not diminish the power of congress respecting the division of our territory or the formation of states, than for any other purpose.

I believe that doubts did arise with some members of Congress, perhaps from Georgia, (in consequence of which, and perhaps a representation from our legislature, I know it was spoken of, to the state of Georgia) that state to clear away those doubts, passed a law giving her consent to a division, &c. But did those doubts and that act of the state of Georgia decide the question, as to the right and power of congress? I presume not. That body will feel itself bound to act conformably to original, existing legal powers.

Taking the whole of the laws on this subject into view, there cannot be a doubt, in my humble opinion, but that congress has now exclusively the right and the power to divide the territory, and to form one or more states not exceeding a given number, and that we constitute no party to the contract, so called. We are only the party for whose use and benefit it is made. We can only solicit and shew that we are entitled thereto.

If, as some contend, congress has no power to divide the territory, previously to admission into the union as a state, much less has it the power to do so afterwards; or to prescribe or annex conditions after admission. Whenever we become a state, we receive our portion or legacy, which is not a limitation, but a fee-simple estate—our title retrospects, and gives us all the benefits of an original state. By the constitution of the United States, article 4th, sec. 3d—"New states may be admitted; but no new state shall be formed or erected within the jurisdiction of any other state, nor any state

be formed by the junction of two or more states, without the consent of the legislatures of the states concerned, as well as of congress." By this article, also, congress have the power to dispose of and make all needful rules and regulations respecting its territories, &c.— Here is a superior grant of power to all others, authorising congress to manage their territories as they please, and which no law, even of itself, can abridge or take away.

We find no power given to congress to divide states, or for states to divide themselves; any conditions, therefore, not expressed or contemplated by the constitution or existing laws, would not be binding on the parties, but null and void. As well might we contend that an agent by exceeding his powers could bind his principal, or that the acts of an infant in all respects should bind him after age.

Viewing this subject as I think we are bound legally to do, I have been somewhat at a loss to conceive how the idea of a future division, or one after admission, could first have originated; neither law, reason, nor policy, it appears to me, could have had a governing influence in creating such notions. I hope they have originated from an honest and over zeal to obtain rights held in reserve for us. It is not, perhaps, much of a fault, for a minor to be more than discreetly anxious to enjoy the rights of manhood; nor, for a people who are debarred of privileges they appreciate in others, to mistake the best means of removing the obstacles.— Such I apprehend will be the case with those who continue to solicit admission previous to division.

Although we may continue of the opinion, that we are a party to the contract, and have a right to pass upon our own, and the powers of others, yet, if our superiors and those who can control, determine otherwise, is it not folly and a species of madness to resist such a determination? Are we doing justice to ourselves and others to continue soliciting admission in a manner impracticable? Had we not better ask what we want on such terms as will justify our superiors in granting? The tribunal authorised to judge of the justice of our request, as well as its own powers, has decided against us; we ought, therefore, to consult what will meet the approbation of that authority, and our next best [illegible].

To estimate the above reasoning, and to become reconciled to the course advised, the principles and nature of our government, as well as our feelings, should be consulted and considered. It is a delegation of rights and powers to some constituted department, or legal tribunal—those not surrendered remain with the people. To redress all grievances, and to compensate for all injuries, resort must be had to some of those legal and constitutional tribunals. Cases beyond their cognizance are not within the pale of the government; therefore, remediless, except by a resort to first principles; and the ultimate sovereign authority—the people. This puts an end to the *thing* called government. Hence great caution and circumspection should be used in making such an appeal.

Before dismissing this part of our subject, I

will bestow a few reflections on a resort I have heard suggested as an antidote for the prohibition of our admission into the union as a state, with the present limits of the territory; it is that we will wait until our census amounts to sixty thousand free white inhabitants, and then demand and take admission; to which I answer, that the remedy against a proceeding of that kind is already legally provided, at the *discretion* of congress; and that we may expect the same policy which has prevented our admission with the present limits of the territory, will doubtless dictate its application, to wit: as soon as we make such an advance or attempt, congress will use its *discretion* and divide us. Would not the inconveniences of a territorial form of government, if there be such, which I am free admit, be continued by means of our own conduct?

I profess myself an advocate for the pride of opinion; am aware it has considerable influence on the conduct and actions of most men, and that it is of great national importance, when tempered by the rules of reason and justice, true policy and dignity. It is a quality we ought to approve and appreciate in others, as well as adopt and maintain in ourselves. Ought we not, then, to suppose and admit it to have a comparative and greater influence with others and our superiors? Congress is that superior—the political guardian of every state and territory within its jurisdiction; is bound to protect each and all; to guarantee each state a republican form of government, and to see that the interest and good of the whole or a majority

is not sacrificed or committed, for that of a minority or any particular one.

I have postponed bringing our census into view much longer than I expected when I first commenced this address, occasioned by the hurry of my undertaking, and my remarks being governed pretty much by time and occasion; and because, as I progressed, objections arose which it seemed necessary to notice, previous to a consideration of that item of our investigation.

NUMBER V.

I have said that a division of our territory would not, in my opinion, postpone, but expedite our admission into the Union. This, I presume, will satisfactorily appear by a reference to the constitution of the United States; the ordinance and laws for the government of the territory, as applicable to the census taken up to the first day of May last, which is as follow:

Total of white free persons, - -	44,974
Ditto of slaves, - - - - - -	29,984
Ditto of color, - - - - - - -	366
Forming an aggregate of - -	75,324

For distinction sake, I shall use the terms federal and territorial numbers. In the first are included three fifths of the slaves; a scale by which representation in congress is regulated—the second, only free inhabitants, all others being excluded by the ordinance.

The census being already published in detail through the same medium that I now ad-

dress you, I shall only state as may be necessary to the investigation of the subject before us.

That under the ordinance we are not entitled to admission as a state, until the territory has sixty thousand free inhabitants; but may be admitted by congress as much sooner as we have the requisite number fixed by law, for sending representatives to congress; the ratio of which, at present, is thirty-five thousand.—Thus from the time the territory has 35,000 federal numbers, until we have 60,000 the territorial, congress has a discretion to admit or not. That body having through grace admitted states on the federal numbers, cannot be construed into a right, on our part, to demand admission with less than the territorial number of 60,000.

Finding then, which I presume is sufficiently shown, that it was originally contemplated that our territory should be divided and form two or more states; and that congress have the right and power to effect this at discretion; does not national policy, our own interest and convenience, now require a division, so as to form two states? We have the numbers to be thus admitted. Ought we not then to ask it, in a manner most likely to obtain, and meet the views of those who can refuse us—and seeing that admission can be had much sooner under the federal than it can under the territorial numbers?

Previous to the late accession of Indian country on the Tennessee and waters of the Mobile, I know that fears existed with the inha-

bitants of those sections, that if divided by any line, that would give to the western division a tolerable size, they might remain a territory for a length of time; therefore, a division was not desirable—but the thing is entirely changed —no such apprehensions can now exist. The eastern division no doubt will have, before a convention for organizing a form of government could be convened, the requisite number for admission, as a state; and that it will have, in a very short time, a much greater population than the western division; constituting a state, which, from its own resources and advantages, will vie with the most respectable, wealthy and commercial states in the union; and that too without rendering her sister to the west "*scant of resource and contemptible.*"

To prove the correctness of these conclusions, I shall take the liberty of calling your attention to the census and revenue of that portion of our territory which, it is presumed, would form something like the western division or state.

I have never heard it suggested by any, that a divisional line would be contemplated nearer to Pearl river on the east, than so as to include the waters of the Mobile in the eastern section.—This would given to the western a sufficient extent of country; place its seat of government on Pearl river, meandering with fertile banks nearly three hundred miles, and navigable almost to its source; would give to each state an extent of country sufficient to make both respectable, with resources not so "*scant*" as to become "*contemptible and sustain*

state government." Each might erect its own "*splendid capitols and seminaries of high respectability,*" on her own waters, and in the vicinity of the bulk of population, where all might gaze, feast their eyes, and emulate to enjoy the fruits of their own labor, and the sweat of their own brows; as well as those whose wealth, fortune and office furnish the means and opportunity of doing it at any distance. This, I presume, would be the most likely way to excite feeling, unite interest, and inspire energy productive of resources, from which liberal funds might be obtained to sustain state government with dignity, although not to turn the course of rivers or remove mountains. True dignity, in my humble apprehension, consists in acting for the benefit of all and others, as well as for ourselves—which seldom fails to inspire all.

I will now take a view of our census as applicable to each of these contemplated divisions. The western must include the Mississippi and embrace perhaps what is called the Pearl river counties, in all thirteen—Warren, Claiborne, Jefferson, Adams, Wilkinson, Amite, Franklin, Lawrence, Marion, Hancock, Greene, Wayne and Pike; the total census of which is 46,121, giving a federal number of 37,500 and odd, about one fourteenth more than sufficient for one representative to congress. The eastern section was, at the date of the census, deficient a few thousands, but which is not material to our present purpose. It is now reduced to a moral certainty, that that deficiency will be more than supplied before self-government could be organized.

These, fellow-citizens, are conclusions drawn from affirmative events and facts, the evidence of which is before you. supported also by a state of prosperity which has anticipated our most sanguine hopes and expectations; and which at once put an end to those heretofore local or sectional jealousies and apprehensions relative to a division, and that it might retard our admission into the union; hence I have concluded *tempus habet*, now is the time, we can ask and receive admittance, as twain sisters, having the same weight in the house of representatives of the United States, as if going in as one state, and double in the senate, and in the election of president; nor will a division, with great submission to the opinions of some, postpone the admission of the eastern section; and of others, that the western would thereby be "contemptible and too scant of resource to sustain state government."

I have heard divisional lines suggested further to east, to wit: by the Tombigby and Mobile, or along the dividing ridge, between the waters of the first named river, and the Alabama, neither of which in my opinion, would do justice to our brethren in that quarter. The first would divide the bulk of population, and place it on the borders or extremities of two states, so as to render it impossible for the seat of government, &c. to be placed most convenient to, perhaps, nine-tenths of the present and future inhabitants; with the great highway of commerce, to wealth and prosperity on one side of the eastern state, having no other channel or outlet of any importance. The st-

cond would set off a portion of the inhabitants in a tract of country, where they might remain, perhaps, during their own and children's lives, under a territorial form of government, which we, ourselves, so much deprecate, and without any outlet, or navigable streams, except some of the head waters of the Mobile and Chatahoochy, being the [illegible] boundary, and inconsiderable for its navigation. Such an act of injustice ought not to be [illegible] by any, nor, do I presume it would be [illegible] by congress with the least [illegible] of success.

In prescribing limits, and [illegible] boundaries of political and associated communities, where they are to act together, and to constitute but one body politic, due regard should be had, not only to the interest and convenience of all, but that of a majority; and so arranged that their present and future operations may be conducted and carried on, not only to advantage and safety, but with the least possible disadvantage and danger—hence the expediency of forming them in a manner, that the strength of population and weight of wealth should be as near the centre as convenient; unless, indeed, they are bounded by, or border on, powerful and hostile foes and enemies; in that case policy dictates the reverse, and that there should be a strong frontier. This is not the case on the present occasion. Our jurisdiction is comple throughout the territory—our population connected from the Mississippi to the Mobile; and no one can suppose that the remnants of a few insulated tribes of Indians in the north and east of our territory will, or can, ever again

disturb our repose and quiet, or make it necessary for a standing barrier to be provided against them. If, therefore, any part of the states in contemplation is susceptible of a scanty population, let it be the margin, or frontiers.

I admit, that to form a state, bounded by the rivers Mississippi and Mobile on the west and eastwardly by the river Tennessee and the Gulf of Mexico on the north and south, would constitute one among the most powerful, wealthy and convenient in the union; being bounded on every side by navigable waters, and on the west by one of the most majestic rivers in the world; with the fine little river Pearl, only small by a comparison with the other named, running from north to south, about mid-way the state, whereon to fix a seat of government; and navigable far above where it would be located, might be desirable; if it were just to disregard the rights of others. But this would be so partial a use of the materials, calculated and fitted for the erection of two preponderating bodies, as to give one a gigantic strength, and contract the other to a state of weakness, dependence and humiliation; and more than all, sully one of the brightest features and violate one of the leading principles of republican government—equality in its legal or technical and qualified sense.

NUMBER VI.

Lest some opinions* recently published, and others, perhaps, fortuitously put into general circulation, should influence any the most uninformed, I shall occasionally introduce and consider them, in the remaining part of this address. This I am constrained to do, as our subject leads us unavoidably up to them; especially as reason, experience and example authorise and force me to draw very different conclusions from the same premises, and have occasioned the slight allusions already made to them. But for this, I, for one, should have trusted the refutation of them to their own sterility of political intelligence, a limited knowledge of this, as well as other sections of country, and the want of verity in point of fact—believing they would only be noticed for their novelty and incorrectness; and that the chief importance which could be attached to some of them, is, they are calculated unnecessarily to rouse and exalt the pride and pretentions of one section of the territory, while they tend to depress and humiliate those of the other, and to defeat the just expectations of both, as to future division, to wit: That in such an event, the western or Mississippi section "*would either be too contemptible to be a state at all, or if admitted through grace, too scant in resource to sustain a state government with any dignity.*"

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* Pearl river memorial and Mr. Ware's letter, both bearing such an identity of language and expression, that any remarks applicable to one, will be equally so to the other.

It pertains to the present investigation to ascertain and attend to the situation and circumstances of this (would be *contemptible*) division, and the facts it presents. Doing this will manifest, I trust, for character sake, the irony of the opinions just quoted, or a presumptious belief that those they address are as uninformed of the topical situation and natural history of our country as they themselves seem to be.

By any contemplated or probable divisional line, forming our territory into two states, the Mississippi or western would be, in extent of country among the largest, states in the union; and, perhaps, few countries of similar size, more susceptible of population and tillage; notwithstanding the denunciation of the Pearl river memorial to congress. Certainly a tissue of the most inconsistent and inconsiderate slander, that was ever published against any country. It is much more calculated to traduce the literary character, and natural history, of our country, than to promote the professed object; and were it not for the latter, and because sent abroad, I should not turn your attention towards it. This, however, I shall only do statistically; as to the first, and other respects it cannot merit serious notice. In justice to many gentlemen whose names I see stated, as composing that convention, I am fond to believe this exhibition of their deliberations must have been trusted to others, and adopted without due attention, or at some *inauspicious hour*. Being bounded the whole extent on one side by a river floating more products of the earth, proceeds of labor, and the arts of man, than

any in the world, with several rivers and other streams of considerable note and size, to wit: the Yazoo, Big Black, Bayou Pierre, Homochitto, Amite, Pearl, and Pascagola, some extensively navigable, with fertile banks, meandering in various directions, and many [illegible] tracts of rich adjacent lands as [illegible] if not more so, than any in the [illegible]

[illegible] then, I cannot believe [illegible] situated, with an industrious [illegible] which, in daily increasings would be found wanting in that respect, and not able to support self-government; and that with *dignity*—[illegible] so as to comport with the ideas of some, and to encourage their undertaking of visionary and impossible future projects of extravagance and grandeur; yet, to all reasonable and common [illegible] agreeably to the understanding and opinions of most men.

Let us advert to the amount of revenue paid during the last year by this western division, including what is called the Mississippi and Pearl river counties, which our memorialists say are mostly pine barrens, scant of inhabitants, and that it may never have the necessary number to become a state, having now nearly 38,000, after deducting two-fifths slaves. The sums paid from those counties, agreeably to the last returns, give a total of upwards of twenty thousand dollars, more than, and, equal to the civil list of several of the states in the union, which sends from two to eight representatives to congress. The state of Connecticut sends seven representatives and pays about twenty thousand dollars; Ver-

mont sends six representatives, and pays about fifteen thousand dollars; that of New-Jersey pays about twenty-seven thousand dollars, and has six representatives. Many other of the states, to-wit: Ohio, Kentucky, Tennessee, and North-Carolina, pay less in proportion to their representation in congress. The state of North Carolina pays annually only about forty thousand dollars, and sends thirteen members to congress. Those states have governments with all their constituent and component parts, which are administered to the peace, safety and protection of their inhabitants, as regard person, character and property—They have *capitols* and seminaries, although not *splendid*, yet commodious and useful; they have, also, *made roads*, *built bridges*, *cut canals*, paid all their labourers, and officers of government, and are not in debt; nor yet become *contemptible* or wanting in *dignity* in their own, or the opinion of others.

We have no complaint among us about the burthen of taxation; but a willingness to pay more for an extension of our civil and political rights. How, therefore, any should have taken up an idea that a people, thus situated and circumstanced, would not only be incapable of sustaining self-government, but become contemptible, I am at a loss to conjecture. Are you, fellow-citizens, prepared to subscribe to such opinions? Will you be thus frightened from the most speedy enjoyment of your dearest rights, by the fanciful notions of erecting "*splendid capitols*," and changing the course of rivers and making seas? fearing, that by division, we

might not be able to effect these and other high-toned, ideal and visionary projects, or sustain state government? I hope not. Economy, equality, simplicity and plainness of manners, with intelligence, are the great attributes of republican government; and as we loose sight of these, our government will diverge from its primitive position towards anarchy, aristocracy, monarchy or despotism.

It is also asserted, that our territory being "two thirds pine barrens," * so oppressive in climate,† and scant of population, that if divided

* Those acquainted with agricultural pursuits in the southern country know, that a great portion of what is called pine barrens here and in the state of Georgia, will produce more, or as much, of the same article, as the first and second rate up land in the middle and eastern states; and is much more productive, if cultivated in the great staple of the country, cotton—and can only be considered barren by a comparison with our rich bottom and cane lands.—But I venture to state, as a fact, that none of the Atlantic states south of Pennsylvania, but has more land unfit for cultivation than the Mississippi territory in proportion to the size of each.

†Perhaps no part of the United States is more healthy than the Mississippi territory. For several years past it has exhibited as much health as any other quarter, and more than, any of the western states. This statement, I am authorised to make without hazarding a contradiction. Our climate so far from being "*oppressive*," is the most mild of any in the United States, taking the year round. I admit our summers are longer, than they are farther north, and a few hours in the day, for a few weeks the heat is oppressive; our evenings, nights and mornings are always cool, which is not the case to the north. This braces up the system and

by a line near the centre, the western part might never reach the necessary number to constitute a state; and if admitted through grace, would be weak, scant of resource, and contemptible;" whereas the fact is, it now has several thousand more than sufficient; 35,000 being the ratio of representation in congress, and with which states are admitted. For, by a contemplated divisional line, much farther to the west, and so as not to include any of the Mobile waters, it contains about 38,000, excluding two-fifths of the slaves, and has a total of near 47,000 persons. But we are told, if admitted entire, we shall become strong, powerful and influential; sufficiently so to awe and "coun-

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prepares it to withstand the heat of the succeeding day, and causes it to be, perhaps, more intensely felt, than northwardly where the heat is nearly as oppressive in the nights as the days. The inhabitants here may, and do, retire during the oppressive heat, and then have a third more time for labour, than they have to the north owing to the mildness of our winters, and that in cultivating a soil more than double as productive. No parts of the United States of tolerable size are better, nor as well watered as the Mississippi territory. I admit that near the Missisipp. river nd in the prarie lands, there is a scarcity of springs, but wells are easily sunk, which we are not prevented from doing by a subterraneous rock, as is mostly the case in the states of Kentucky and Tennessee.

I venture to assert that no country ever was more erroneously represented or misconceived abroad, than the Mississippi territory. This, I presume, originated in two ways, independently of the fact, that the settlers of all new countries are more or less sickly; firstly, the settlements commenced in and near the swamps of the Mississippi, among the heavy, low and rich land.

teract the imposing influence of other states—give a tone to the southern section of the United States—respond to the general government with dignity and resource—claim concession;" and, finally, "protect the southern from the incursions of the western states, as New-York guards the middle states against the intrusions of the *Yankees*." All these exploits, it is said by the authorities referred to, we shall be able to achieve by admission entire, besides directing the course of rivers and commerce, and forming new seas. That a new ideal or geographical line dividing a people for their own convenience, and that of local government, should have such extreme and adverse effects, contradicts all experience and example; and I

The cane being now destroyed and the lands opened, the effect has ceased with the cause.—Secondly, the people up the country descending the Mississippi river, with their produce are from four to six and eight weeks on the water before they arrive at Natchez or Orleans; they then are in the habit of remaining weeks and months trafficking All the while being in their boats, which become filthy and unwholesome; in addition to which many of them participate in all the luxuries and dissipations of those places, which produce sickness and death; and would do so in any climate. Many of them return home to their families and among their neighbors sick, bearing the news of the death of others, which is attributed to the climate and country; when the fact is that they have not drawn one breath of country air, until they started home unwell, or with the seeds of disorder and disease about them. Hence the sickness of the country is asserted. My opinion is that our memorialists must have expressed themselves in obedience to opinions and prejudices thus formed, before coming to the territory, and not from their own observations and experience since.

must confess, is far beyond my understanding, and the powers of my mind to comprehend and conceive.

I presume it is not desirable, or intended by any, to create a state or states with a view to their operating adversely with the United States or to command an over portion and undue influence in the national councils; nor of other states or their governments; but to act from a spirit of commutation and compromise with each and all, agreeably to the original and federative principles of the general government. I agree that policy dictates the respective sections of the union should be as nearly balanced as may be; and that this becomes the more necessary in proportion to the extent of country and variety of interest embraced. How is this most likely to be effected? Certainly not by relinquishing one half the weight and influence we might have, by introducing but two instead of four voices in the second and controling branch of the general government.—The senate, as also in the election of president, while there is no augmentation in the first, or house of representatives. The same tract of country, embracing an identy of population, whether constituting one, two, or more states, will have the same number of representatives in congress, consequently one and the same influence; but in the senate and in the election of president only as two to four, or as four to six; hence an influence in the national councils as six to four, or as four to two, and *vice versa*.—That such would be the fact, can only be con-

troverted by shewing that two is as much as four, and four as six. Will not representatives from the same country, though from different states have a sameness of interest and motives to act together in congress, as if from located and separate districts in the same state? Their habits, manners, climate, soil, agricultural, manufacturing and commercial pursuits being, and ever remaining the same; as also their connections and relations with the general government and with each other.

As respect the local interest and convenience of states, certainly expediency and policy dictate a division, or two in preference to one state. Each might originate and rear its own public establishments and useful institutions, without a confliction of interest, and creating jealousies as to the resulting benefits each would receive, and thereby produce embarrassments calculated to postpone or defeat their accomplishment altogether. That such is apt to be the case, when there is a confliction of interest, and when local improvements and establishments cannot be equally useful to all, experience and example teach us to believe and know; and that the reverse is the fact, when there is a mutual and reciprocal participation of the resulting use and benefits, we also know. When a people are mutually benefited by the accomplishment of any object, they will be equally zealous; and when equally zealous, they will be proportionably united; and when united, we can conceive of few human establishments beyond the skill and power of man to accomplish, with proper resources. And on

this last point, I presume, you will not subscribe to the opinion, that by a division, our resources would be diminished or rendered less efficient.

Why is it that small states, or those of tolerable size, are more lightly taxed, and do more with the same amount of revenue, in proportion, than larger ones? Is it not because they generally have the same interest and mutual prospects in the conception and accomplishment of measures, and at once unite in their completion, or abandon them altogether? Do not spend their time and exhaust their resources, first as to the undertaking, and then as to the manner of execution? Have not the smaller states, and those, the inhabitants of which, have an unity of feeling and interest, generally afforded the best, most flourishing and useful seminaries and public institutions? Connecticut and New-Jersey have stood higher than any large state or states of the union in this respect.

I now ask you, fellow-citizens, for a candid answer, whether in our yet incipent political state, we have not experienced, and are not now experiencing evils and embarrassments, from a confliction of local interest and want of "the sympaty of action," so called? Retrospect the proceedings of your legislatures—attend your present general assembly, and I fancy you will be convinced of the correctness of my reflections and remarks, without a recurrence to history and the example of others. Scarcely a question of general import is brought forward, but you immediately hear sectional

calculations and local interest introduced—Mississippi and Mobile—western and eastern, or Tennessee. And we have a right to presume the inconvenience, to say the least of it, will be increased in proportion, as we become a state, and of a size corresponding with the towering views of some. We see they have already conceived the erection not only of "*splendid capitols*," but the formation of new and other channels, or seas, connecting the Gulph of Mexico with the Atlantic ocean, &c.*

Far be it from me to attribute differences of opinion and opposition, as a fault in legislation; but rather to a virtuous integrity. It grows out of the nature of man, the construction of our government, and the principles of representation, that each representative should possess the same feeling, have the same interest with his immediate constituents, to truly represent them and the place of his residence; this it is that checks and keeps in awe ambition, corruption and intrigue, and causes the will of the people to be regarded. All I mean to contend for, in this respect is, that in the formation of political associations, proper means should be made use of in due time, to guard against collisions in opinions, and a confliction of interest, calculated to defeat the general will, and paralise the public weal—this is best done by not inclu-

*Alluding to the Pearl river memorial, which seems to be ignorant that those waters are connected, and that by seas; but this should excite no surprise, when it exhibits so little knowledge of the topography, and geographical size of, our territory, its natural history and population.

ding too great an extent of country, embracing separate and independent interest, and views.

The opinions against division, which I have on this occasion, noticed, so far as they go against a division at all, and the formation of two states, I may venture to pronounce, are in hostility to the wishes and intentions of the people of every quarter of the territory. On this point I have heard but one sentiment. All, with the above exception, agree that the territory ought, at a future period, to form two states. The difference of opinion among us now, seems to be, whether that event should take place previously, or subsequently to admission. I am authorised in this statement, not only from my own acquaintance and knowledge, but from many respectable sources; and above all the immediate representatives of the people, forming our present general assembly. They after taking the subject fully into consideration, were unanimous on this last point of division, so as to form two states in future. How far, then, these dictums (for really they merit no other appellation,) denouncing division at all, or at any time, and "that four fifths of our territory, and three fourths of our inhabitants are opposed to any division," ought to be regarded, the legitimate public voice, has already determined. Opinions calculated to have weight and influence, with intelligent

‡ If the first member of this sentence means, that land can have intelligence on opinion, the barren and uninhabitable part, stated as two thirds, ought to be excluded a vote.

and independent communities, ought to be founded on facts, precedent, and experience, or reason; and to be the result of deliberation, reflection and thought; as to the nature, operation and bearing of measures; any of which the dictums or opinions, to which I now refer, seem to be totally destitute. To be sure, a few facts are assumed, or their existence predicted, but which have never, nor are they likely to take place, according to the physical moral or political order of things.

I shall now, fellow-citizens, conclude this address, by declaring that I have not been influenced by party feelings or local prejudices; but with a view to the general good; that I have to the best of my humble abilities, limited information and experience, endeavored to consider this subject in its relations of states and the inhabitants thereof, between state and state, and between states and the United States; and that the deductions which I have infered, the conclusions that I have drawn, and the opinions I have formed and given, are the results of an honest intention, and mature reflection, predicated with a view to the individual and general convenience, prosperity and happiness of each and of all, regardless of persons or of consequences; taking facts, precedent and example; reason and the principles of our government, for my guide—with an anxious hope "may common sense direct the present crisis."

TEMPUS NUNC.

December 4, 1816.